

# HOUSE JOURNAL

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SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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SEVENTY-NINTH DAY (CONTINUED) — WEDNESDAY, MAY 28, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 760).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Escobar; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Hope.

Absent — Burnam; Coleman; Mowery.

The invocation was offered by Gary Benjamin, senior pastor, Shady Grove Church, Grand Prairie, as follows:

Dear Heavenly Father, thank you for this day, and thank you for choosing these men and women to serve as representatives and decision makers for our state. We look to you, dear Father, for the answers to the many issues that face the people of Texas. Recognizing that unless you keep watch over this state, those who serve here would labor in vain. So, I ask that your presence fill this place and that you would give them wisdom and discernment in all of today's agenda items. God, according to your word, I ask that you, "enable these to do justly, love mercy, and to walk humbly with you." In your name I pray. Amen.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for today and tomorrow because of a death in the family:

Hope on motion of Hunter.

(Burnam now present)

**CAPITOL PHYSICIAN**

The speaker recognized Representative Corte who presented Dr. Michael Dominguez of San Antonio as the "Doctor for the Day."

The house welcomed Dr. Dominguez and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

**HCR 272 - ADOPTED**

**(by B. Brown)**

Representative B. Brown moved to suspend all necessary rules to take up and consider at this time **HCR 272**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HCR 272**

WHEREAS, **HB 2533** has passed the Texas House of Representatives and the Texas Senate and is now in the office of the governor; and

WHEREAS, Further consideration of the bill by the house of representatives and the senate is necessary; now, therefore, be it

RESOLVED by the 78th Legislature of the State of Texas, That the governor be hereby requested to return **HB 2533** to the house of representatives for further consideration; and, be it further

RESOLVED, That the action of the speaker of the house of representatives and the president of the senate in signing **HB 2533** be declared null and void and that the two presiding officers be authorized to remove their signatures from the enrolled bill.

**HCR 272** was adopted without objection.

(Mowery now present)

(Dutton in the chair)

**SCR 58 - ADOPTED**  
**(Craddick - House Sponsor)**

Speaker Craddick moved to suspend all necessary rules to take up and consider at this time **SCR 58**.

The motion prevailed without objection.

The following resolution was laid before the house:

**SCR 58**, Extending sincere condolences to the bereaved family of the Honorable Dean Neugent.

**SCR 58** was read and was unanimously adopted by a rising vote.

On motion of Representative Goolsby, the names of all the members of the house were added to **SCR 58** as signers thereof.

#### **INTRODUCTION OF GUESTS**

The chair recognized Speaker Craddick who introduced the family of the Honorable Dean Neugent.

#### **HCR 269 - ADOPTED (by Christian)**

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HCR 269**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HCR 269**, Designating the East Texas What-A-Melon Festival as the Official Watermelon Festival of the State of Texas.

**HCR 269** was adopted without objection.

#### **INTRODUCTION OF GUESTS**

The chair recognized Representative Hunter who introduced Michael W. Moehler, Ph.D. and his wife Connie, Dr. Joe Humphrey, Nita Keesee, Mary Helen Munoz, Melba Miller, and Billy Stone.

#### **HR 1628 - ADOPTED (by Hughes)**

Representative Hughes moved to suspend all necessary rules to take up and consider at this time **HR 1628**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1628**, Congratulating Ann Crump on her retirement from the Mineola Independent School District.

**HR 1628** was adopted without objection.

#### **HR 1655 - ADOPTED (by Dunnam)**

Representative Dunnam moved to suspend all necessary rules to take up and consider at this time **HR 1655**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1655**, Honoring Zach Summers of Waco on his graduation from Baylor University.

**HR 1655** was adopted without objection.

**HR 1598 - ADOPTED  
(by Dunnam)**

Representative Dunnam moved to suspend all necessary rules to take up and consider at this time **HR 1598**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1598**, Honoring LaRue Dorsey of the Waco Independent School District on her retirement from teaching.

**HR 1598** was adopted without objection.

**HR 1600 - ADOPTED  
(by Dunnam)**

Representative Dunnam moved to suspend all necessary rules to take up and consider at this time **HR 1600**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1600**, Honoring Joe D. Gunn on the occasion of his retirement as president of the Texas AFL-CIO.

**HR 1600** was adopted without objection.

**HR 1546 - ADOPTED  
(by Deshotel)**

Representative Deshotel moved to suspend all necessary rules to take up and consider at this time **HR 1546**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1546**, Honoring St. Mary Catholic Church in Port Arthur on its centennial.

**HR 1546** was adopted without objection.

**HR 1612 - ADOPTED  
(by J. Jones and Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 1612**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1612**, Joining with the Booker T. Washington Alumni Association in honoring the contributions to education of the late Gwendolyn Jackson.

**HR 1612** was unanimously adopted by a rising vote.

**HR 1620 - ADOPTED**  
(by **R. Cook**)

Representative R. Cook moved to suspend all necessary rules to take up and consider at this time **HR 1620**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1620**, Honoring Sara and Joe Sullivan of Austin on the birth of their daughter, Emily Grace Sullivan.

**HR 1620** was read and was adopted without objection.

**HR 1050 - ADOPTED**  
(by **Dawson**)

Representative Dawson moved to suspend all necessary rules to take up and consider at this time **HR 1050**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1050**, Commending the work of the Texas chapters of the ALS Association.

**HR 1050** was adopted without objection.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Deshotel who introduced participants of the Texas Legislative Internship Program.

**HR 1651 - ADOPTED**  
(by **Harper-Brown**)

Representative Harper-Brown moved to suspend all necessary rules to take up and consider at this time **HR 1651**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1651**, Commending Susan Elizabeth Skaggs for her many contributions to the Dallas Cowboys and the city of Irving.

**HR 1651** was adopted without objection.

**HR 1652 - ADOPTED**  
(by **Harper-Brown**)

Representative Harper-Brown moved to suspend all necessary rules to take up and consider at this time **HR 1652**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1652**, Congratulating the Dallas Cowboys Cheerleaders on their civic contributions.

**HR 1652** was adopted without objection.

**HR 1536 - ADOPTED  
(by Rose)**

Representative Rose moved to suspend all necessary rules to take up and consider at this time **HR 1536**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1536**, Honoring Willa Debora Strickling Kramer of Dripping Springs for her achievements in UIL competition.

**HR 1536** was adopted without objection.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Gallego who introduced Jay Johnson, Skip Baker, and Rodney Martinez of Del Rio.

**HR 1658 - ADOPTED  
(by Talton)**

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 1658**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1658**, Congratulating the Dobie High School Academic Decathlon team on placing third overall at the 2003 U.S. Academic Decathlon competition.

**HR 1658** was adopted without objection.

**INTRODUCTION OF GUEST**

The chair recognized Representative Farrar who introduced Johnny Mata of Houston.

(Edwards in the chair)

**HR 1550 - ADOPTED  
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1550**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1550**, In memory of the Reverend Oliver Charlton Johnson, Sr., of Houston.

**HR 1550** was unanimously adopted by a rising vote.

On motion of Representative Hughes, the names of all the members of the house were added to **HR 1550** as signers thereof.

**HR 1549 - ADOPTED  
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1549**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1549**, Congratulating Wash Allen of Houston on his accomplishments in the field of radio broadcasting.

**HR 1549** was adopted without objection.

On motion of Representative Thompson, the names of all the members of the house were added to **HR 1549** as signers thereof.

**HR 1552 - ADOPTED  
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1552**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1552**, Commending Detria Marie Ward of Houston for her extensive service to the community.

**HR 1552** was adopted without objection.

On motion of Representative Thompson, the names of all the members of the house were added to **HR 1552** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair introduced Wash Allen and Detria Marie Ward.

**CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**SCR 46** (Wise - House Sponsor), Designating April of 2003 as Sexual Assault Awareness Month.

**HCR 164** (by Harper-Brown), Honoring Chief Warrant Officer David S. Williams for bravery displayed in Operation Iraqi Freedom.

**HCR 165** (by Harper-Brown), Honoring U.S. Army Sergeant James Riley for heroism displayed in Operation Iraqi Freedom.

**HCR 166** (by Harper-Brown), Honoring U.S. Army pilot Ronald Young, Jr., for bravery displayed in Operation Iraqi Freedom.

**HCR 167** (by Harper-Brown), Honoring U.S. Army Specialist Edgar Hernandez for heroism displayed during Operation Iraqi Freedom.

**HCR 168** (by Harper-Brown), Honoring U.S. Army Specialist Shoshana Johnson for her bravery displayed in Operation Iraqi Freedom.

**HR 863** (by Pitts), Congratulating the Red Oak High School boys' soccer team on winning the UIL Class 4A State Championship.

**HR 1183** was previously adopted.

**HR 1201** (by Castro), Congratulating the Honorable Edward C. Prado on his confirmation to the United States Court of Appeals.

**HR 1348** (by Gallego), Honoring Judge Edelmira C. Calzada on her retirement as justice of the peace for Precinct 2 in Terrell County.

**HR 1349** was withdrawn.

**HR 1350** (by Gallego), Honoring Professor A. Michael Powell on his retirement from teaching at Sul Ross State University.

**HR 1351** (by Eiland), Recognizing National Beach Safety Week in Galveston.

**HR 1353** (by Bohac), Honoring Leland and Frankie Lee Lawson of Houston on their 68th wedding anniversary.

**HR 1354** (by Paxton), Commemorating the exhibition of The Moving Wall memorial in Allen.

**HR 1355** (by Wong), Congratulating Courtney and Fred Steves and the Glassman Shoemake Maldonado Architects on receiving a Good Brick Award.

**HR 1356** (by Wong), Congratulating Kerry Gingrich and Gingrich Associates Architects on receiving a Good Brick Award.

**HR 1357** (by Wong), Congratulating Kaldis Development Interests, Hugo's Restaurant, and Colby Design on receiving a Good Brick Award.

**HR 1358** (by Wong), Congratulating Ray + Hollington Architects on receiving a Good Brick Award.

**HR 1359** (by Wong), Commending Esther Polland for her service as president of the Jewish Federation of Greater Houston.

**HR 1361** (by Menendez), Honoring the Air Force News Agency on its 25th anniversary.

**HR 1365** (by Coleman, Noriega, Farrar, Hochberg, and J. Davis), Recognizing May 25, 2003, as KUHT-TV Channel 8 Day at the Capitol and congratulating the station on its 50th anniversary.

**HR 1367** (by Casteel), Congratulating Doug and Anne Miller on being named 2003 Comal County Small Business Persons of the Year.

**HR 1368** (by Bohac), Honoring Johnnie and Ruth David of Houston on their 30th wedding anniversary.

**HR 1369** (by Stick), Honoring the Community Resources and Information for Special People (CRISP) program for service to the community.

**HR 1370** (by Stick), Congratulating Lea Burluson and Blake Buffington on the occasion of their engagement.

**HR 1373** (by Eissler), Honoring Karl and Ramona Whisennand of The Woodlands on their 50th wedding anniversary.

**HR 1374** (by Deshotel), Honoring legislative intern Lloyd Joshua Sams.

**HR 1375** (by Deshotel), Honoring legislative intern Robert Loving.

**HR 1376** (by Deshotel), Honoring legislative intern Dian King.

**HR 1377** (by Deshotel), Honoring legislative intern Keitha Monet Johnson.

**HR 1378** (by Deshotel), Honoring legislative intern Shannon Harris.

**HR 1379** (by Deshotel), Honoring legislative intern Latosha McGill.

**HR 1380** (by Deshotel), Honoring legislative intern Farsam Farschtschian.

**HR 1381** (by Deshotel), Honoring legislative intern Nathaniel James Walker.

**HR 1382** (by Deshotel), Honoring legislative intern Van Pham.

**HR 1383** (by Deshotel), Honoring legislative intern Ender Reed.

**HR 1384** (by Deshotel), Honoring legislative intern Shareen Larmond.

**HR 1385** (by Deshotel), Honoring legislative intern Michele Leal.

**HR 1386** (by Deshotel), Honoring legislative intern Chesley Hamm.

**HR 1387** (by Deshotel), Honoring legislative intern Maria Vittoria Carminati.

**HR 1388** (by Deshotel), Honoring legislative intern Andrea Medley.

**HR 1389** (by Deshotel), Honoring legislative intern Eric Blue.

**HR 1390** (by Deshotel), Honoring legislative intern Gustavo Nascimento.

**HR 1391** (by Deshotel), Honoring legislative intern Marc Gonzalez.

**HR 1392** (by Deshotel), Honoring legislative intern Blair Haley.

**HR 1393** (by Deshotel), Honoring legislative intern Shunn Rector.

**HR 1394** (by Deshotel), Honoring legislative intern Samrawit Sium.

**HR 1395** (by Deshotel), Honoring legislative intern Kunal Dura.

**HR 1396** (by Deshotel), Honoring legislative intern Paul Molina.

**HR 1397** (by Deshotel), Honoring legislative intern Erica A. Hunter.

**HR 1398** (by Deshotel), Honoring legislative intern Danielle Vatrice Perry.

**HR 1399** (by Deshotel), Honoring legislative intern Christopher Payne.

**HR 1400** (by Deshotel), Honoring legislative intern Veronica Garza.

**HR 1401** (by Pitts), Honoring Kevin Daskocil of Abbott High School for winning the Class 1A University Interscholastic League state golf title.

**HR 1405** (by Lewis), Honoring Morning Chapel Christian Methodist Episcopal Church in Fort Worth on its 135th anniversary.

**HR 1412** (by Solis), Congratulating the City of San Benito on the notable growth in its city sales tax revenue.

**HR 1413** (by Wong), Honoring Christina Wai-Yun Wong on her graduation from The University of Texas Medical School at Houston.

**HR 1414** (by Wong), Recognizing the opening of Pillsbury Winthrop LLP's Houston office.

**HR 1415** (by Wong), Commending the participants in the Whittier Elementary School Family Literacy Program.

**HR 1416** (by Wong), Commending the participants in the Oates Elementary School Family Literacy Program.

**HR 1417** (by Wong), Commending the participants in the Pleasantville Elementary School Family Literacy Program.

**HR 1418** (by Wong), Commending the participants in the R. P. Harris Elementary School Family Literacy Program.

**HR 1419** (by Wong), Honoring Michael Cemo on his receipt of a Houston Alumni Organization Distinguished Alumnus Award.

**HR 1420** (by Wong), Honoring Vidal Martinez on his receipt of a Houston Alumni Organization Distinguished Alumnus Award.

**HR 1421** (by Wong), Honoring Thaddeus "Bo" and Josanna Smith on their receipt of a Houston Alumni Organization Distinguished Service Award.

**HR 1422** (by Wong), Honoring Larry and Joanne Doherty on their receipt of a Houston Alumni Organization Distinguished Service Award.

**HR 1423** (by Wong), Honoring Donald McKusker on his receipt of a Houston Alumni Organization Outstanding Alumni Volunteer Award.

**HR 1424** (by Wong), Honoring Wilhelmina "Beth" Robertson on her receipt of a Houston Alumni Organization President's Award.

**HR 1425** (by Wong), Honoring Dr. Kathryn Stripling on her receipt of a Houston Alumni Organization Distinguished Alumna Award.

**HR 1426** (by Wong), Honoring the Houston Parks and Recreation Department, the Harris County Flood Control District, and the Texas Parks and Wildlife Department for receiving the 2003 Partnership Award.

**HR 1427** (by Wong), Congratulating Robert Rayburn on receiving The Park People of Houston 2003 Sandy Reed Memorial Award.

**HR 1428** (by Wong), Congratulating JPMorgan Chase for receiving The Park People of Houston 2003 Park Project Award.

**HR 1430** (by Wong), Congratulating Dr. John P. McGovern and Friends of Hermann Park for receiving The Park People of Houston 2003 Leadership Award.

**HR 1433** was previously adopted.

**HR 1435** (by Wong), Recognizing the Youth Leadership Council's 15th annual Leadership Conference.

**HR 1436** (by Wong), Commending Bracewell & Patterson L.L.P. for sponsoring the Big Book Party literacy event.

**HR 1437** (by Crownover), Congratulating the Denton Ryan High School Raider football team on winning the 2002 UIL Class 4A, Division II, state championship.

**HR 1439** (by Truitt), Congratulating RE/MAX Associates Realty in Colleyville.

**HR 1440** (by Gattis), Honoring Jewel Carver Clark of Milam County on her 100th birthday.

**HR 1441** was withdrawn.

**HR 1443** (by Chavez), Congratulating Rufino Carbajal, Jr., of El Paso on his receipt of the Herb Wegner Memorial Individual Achievement Award from the National Credit Union Foundation.

**HR 1444** (by Chavez), Honoring Major General Richard D. "Dick" Murray of El Paso for his outstanding contributions to this state and nation.

**HR 1445** (by J. Jones), Honoring Media Joyce Smith as the Duncanville ISD secondary school teacher of the year for 2003.

**HR 1452** (by Hardcastle), Honoring Virginia Melugin on her 100th birthday.

**HR 1455** (by Solis), Commemorating the wedding of Ofelia Silva and Franklin Painter.

**HR 1456** (by Gattis), Congratulating Joy Graham of the Salty community on receiving the John Ben Shepperd County Historical Commission Leadership Award from the Texas Historical Commission.

**HR 1457** (by Keel), Honoring Sarah Sheffield of Georgetown on receiving the Girl Scout Silver Award.

**HR 1458** (by Keel), Honoring Amelia Glasby of Georgetown on receiving the Girl Scout Silver Award.

**HR 1459** (by Keel), Honoring Jessica Pope of Georgetown on receiving a Girl Scout Silver Award.

**HR 1460** (by Keel), Honoring Tori Wright of Georgetown on receiving the Girl Scout Silver Award.

**HR 1461** (by Keel), Honoring Hanna Watson of Georgetown on receiving the Girl Scout Silver Award.

**HR 1462** (by Keel), Honoring Sami Waley of Georgetown on receiving the Girl Scout Silver Award.

**HR 1463** (by Keel), Honoring Naomi Dyer of Georgetown on receiving the Girl Scout Silver Award.

**HR 1464** (by Keel), Honoring Amanda Lange of Georgetown on receiving the Girl Scout Silver Award.

**HR 1465** (by Keel), Honoring Samantha Thomas of Georgetown on receiving the Girl Scout Silver Award.

**HR 1466** (by Keel), Honoring Leeanna Morris of Georgetown on receiving a Girl Scout Silver Award.

**HR 1467** (by Crownover), Congratulating the Denton High School Lady Broncos soccer team, 2003 Class 4A UIL State Champions.

The resolutions were adopted without objection.

The following memorial resolutions were laid before the house:

**SCR 58** was previously adopted.

**HR 721** (by Harper-Brown), In memory of Corporal Brian Matthew Kennedy of Houston.

**HR 750** (by Harper-Brown), In memory of Chief Warrant Officer Johnny Villareal Mata of Pecos.

**HR 1032** was previously adopted.

**HR 1269** (by Eiland), In memory of George Wilmot Karp of Galveston.

**HR 1302** (by Raymond), In memory of Lucien Flournoy of Alice.

**HR 1409** (by Hochberg), In memory of Patricia Jeanne Deeds of Houston.

**HR 1442** was withdrawn.

**HR 1449** (by Krusee), In memory of David Paton "Mac" McIntire of Austin.

The resolutions were unanimously adopted by a rising vote.

(Speaker pro tempore in the chair)

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 49).

### **HR 1470 - ADOPTED (by Haggerty)**

Representative Haggerty moved to suspend all necessary rules to take up and consider at this time **HR 1470**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 1470**, Honoring Vaneta Moore Ward of Houston on her 80th birthday.

**HR 1470** was adopted without objection.

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR  
SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

**CSHCR 208** (by Gallego), Requesting Congress to direct the National Park Service, U.S. Department of the Interior, to acquire concurrent legislative jurisdiction for Big Bend National Park and the Rio Grande Wild and Scenic River.

**HCR 218** (by Chavez), Memorializing Congress to urge the EPA to redesignate El Paso from a nonattainment area to an attainment area.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Chisum, Representative Chavez offered the following committee amendment to **HCR 218**:

Amend **HCR 218** on page 2, line 27, by striking "attainment" and substituting "attainment/maintenance".

Amendment No. 1 was adopted without objection.

**HCR 256** (by Kuempel), Directing the White-tailed Deer Advisory Committee to address how habitat relates to the ecological diversity of the state and to study the role of the wildlife biologist in the development of management plans and in the utilization of suitable management practices, including population goals and control, yearly census data, supplemental feeding and food plots, and genetic management.

**HR 1079** (by R. Cook, et al.), Expressing support for a Texas pilot program to revise rice commodity incentives under the federal farm program.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative B. Brown, Representative R. Cook offered the following committee amendment to **HR 1079**:

Amend **HR 1079** as follows:

- (1) On page 2, line 8, strike "countercyclical" and substitute "direct".
- (2) On page 2, line 12, strike "minimally impact" and substitute "result in cost savings to".

Amendment No. 1 was adopted without objection.

**SB 5** (Wohlgemuth - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, duties, functions, operations, and financing of the Johnson County Special Utility District; authorizing the imposition of taxes and the issuance of bonds.

**SB 6** (Flores - House Sponsor), A bill to be entitled An Act relating to clarifying the time to claim a lottery prize and extending the time for certain military personnel.

Representative Flores moved to postpone consideration of **SB 6** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 18** (J. Davis - House Sponsor), A bill to be entitled An Act relating to the creation and authority of the Baybrook Management District; providing authority to impose taxes and issue bonds.

**CSSB 19** (Farabee - House Sponsor), A bill to be entitled An Act relating to audit and other related functions of the State Auditor and of certain other state entities.

#### **Amendment No. 1**

Representative Farabee offered the following amendment to **CSSB 19**:

Amend **CSSB 19** as follows:

Amend SECTION 74 as follows:

In Subdivision 1, insert "(d)" following "751.012" and insert Section 751.012(c)(4). Conform subsequent sections following Section 751.012(c) appropriately.

Amendment No. 1 was adopted without objection.

**SB 20** (Morrison - House Sponsor), A bill to be entitled An Act relating to the issuance of certain permits for overweight vehicles; providing a penalty.

**SB 24** (Rose - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Ranch at Clear Fork Creek Municipal Utility District No. 1; granting the authority to impose taxes and issue bonds; granting the power of eminent domain.

**SB 25** (Escobar - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District.

**SB 51** (Goolsby - House Sponsor), A bill to be entitled An Act relating to a sexual assault program referral provided by a law enforcement agency to certain victims.

**SB 88** (Kuempel - House Sponsor), A bill to be entitled An Act relating to the application of the professional prosecutors law to the district attorney for the 25th Judicial District.

**SB 92** (Kolkhorst - House Sponsor), A bill to be entitled An Act relating to a residential tenant's right to summon police or emergency assistance; providing a civil penalty.

**SB 92 - STATEMENT OF LEGISLATIVE INTENT**

**SB 92** protects a tenant's right to call for the police or emergency assistance in situations involving family violence. It does not affect a property owner's right to evict tenants for nonpayment of rent or other breaches of their lease, such as excessive noise, damage to the unit or threatening to harm another tenant or onsite employee.

Kolkhorst

**SB 103** (Alonzo - House Sponsor), A bill to be entitled An Act relating to the carrying of weapons by peace officers and by special investigators.

**Amendment No. 1**

On behalf of Representative Reyna, Representative Isett offered the following amendment to **SB 103**:

Amend **SB 103** by adding the following section and renumbering subsequent sections accordingly:

SECTION \_\_\_\_ . (a) Section 46.15(b), Penal Code, as amended by Chapters 1221 and 1261, Acts of the 75th Legislature, Regular Session, 1997, is amended to read as follows:

(b) It is an exception to the application of Section 46.02 that the ~~[does not apply to a]~~ person ~~[who]~~:

(1) is in the actual discharge of official duties as a member of the armed forces or state military forces as defined by Section 431.001, Government Code, or as a guard employed by a penal institution;

(2) is on the person's own premises or premises under the person's control unless the person is an employee or agent of the owner of the premises and the person's primary responsibility is to act in the capacity of a security guard to protect persons or property, in which event the person must comply with Subdivision (5);

(3) is traveling;

(4) is engaging in lawful hunting, fishing, or other sporting activity on the immediate premises where the activity is conducted, or is en route between the premises and the actor's residence, if the weapon is a type commonly used in the activity;

(5) holds a security officer commission issued by the Texas Board of Private Investigators and Private Security Agencies, if:

(A) the person is engaged in the performance of the person's duties as a security officer or traveling to and from the person's place of assignment;

(B) the person is wearing a distinctive uniform; and

(C) the weapon is in plain view;

(6) is carrying a concealed handgun and a valid license issued under Subchapter H, Chapter 411, Government Code ~~[Article 4413(29cc), Revised Statutes]~~, to carry a concealed handgun of the same category as the handgun the person is carrying;

(7) holds a security officer commission and a personal protection authorization issued by the Texas Board of Private Investigators and Private Security Agencies and who is providing personal protection under Chapter 1702, Occupations Code [~~the Private Investigators and Private Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil Statutes)~~]; or

(8) holds an alcoholic beverage permit or license or is an employee of a holder of an alcoholic beverage permit or license if the person is supervising the operation of the permitted or licensed premises.

(b) The change in law made by this section in amending Section 46.15(b), Penal Code, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

Amendment No. 1 was adopted without objection.

**SB 113** (Seaman - House Sponsor), A bill to be entitled An Act relating to premium discounts for certain residential property insurance policies.

**SB 115** (Seaman - House Sponsor), A bill to be entitled An Act relating to providing consumers with information regarding policy forms for residential and farm and ranch property insurance coverage.

Representative Thompson moved to lay **SB 140** on the table subject to call.

The motion prevailed without objection.

**SB 176** (Naishtat and Swinford - House Sponsors), A bill to be entitled An Act relating to the offense of interference with an emergency telephone call.

**SB 203** was withdrawn.

**SB 216** (Hardcastle, Capelo, McReynolds, and Naishtat - House Sponsors), A bill to be entitled An Act relating to the disposal by a veterinarian of animal remains and associated medical waste.

**SB 245** (Wohlgemuth - House Sponsor), A bill to be entitled An Act relating to the provision of respiratory therapy services under the medical assistance program.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Wohlgemuth offered the following committee amendment to **SB 245**:

Amend **SB 245** as follows:

On line 9, after the word "services", insert "for ventilator dependant persons"

Amendment No. 1 was adopted without objection.

**SB 258** (Deshotel - House Sponsor), A bill to be entitled An Act relating to the tuition charged by institutions of higher education for high school students enrolled in college-level courses.

**SB 292** (Goolsby - House Sponsor), A bill to be entitled An Act relating to the regulation of athlete agents.

**SB 315** (Luna - House Sponsor), A bill to be entitled An Act relating to the annexation by certain junior college districts of territory in a district's service area. (Seaman recorded voting present, not voting)

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Goolsby, Representative J. Davis offered the following committee amendment to **SB 315**:

Amend Section 1 of **SB 315** by amending Sec. 130.0661(a) to read as follows:

(a) This section applies only to a junior college district that:

(1) includes within its territory all or part of a municipality with a population of 250,000 or more that borders the Gulf of Mexico; and

(2) has a service area established by Subchapter J that includes four or more whole counties; or

(3) includes within its territory a school district with an enrollment of 180,000 or more that is within a county that borders a tributary bay to the Gulf of Mexico.

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representatives Luna and Morrison offered the following amendment to **SB 315**:

Amend **SB 315** as follows:

(1) In subsection (a) of SECTION 1 of the bill on line 14, strike "; or" and insert ";" after counties.

(2) In subsection (a) of SECTION 1 of the bill, strike "(3) includes within its territory a school district with an enrollment of 180,000 or more that is within a county that borders a tributary bay to the Gulf of Mexico."

Amendment No. 2 was adopted without objection.

**REASON FOR VOTE**

On **SB 315** I would like to be shown as present, not voting. I own extensive properties in San Patricio County, and I would like to recuse myself from voting for or against this measure. If this vote was not a conflict of interest for me, I would be voting no to stop the increase of taxes on my constituents in Nueces, San Patricio, and Aransas counties. Within this statement I fully support Del Mar College and the important role it plays for the Coastal Bend, and I acknowledge their need for more funding.

Seaman

**SB 322** (Morrison - House Sponsor), A bill to be entitled An Act relating to persons who may administer oaths in Texas.

**SB 325** (Wilson and Hughes - House Sponsors), A bill to be entitled An Act relating to the implementation of a change in law imposing or changing the amount of certain court costs and fees.

**SB 356** (Capelo - House Sponsor), A bill to be entitled An Act relating to forensic anthropologists and to an inquest when a body part is found.

Representative Woolley moved to lay **SB 373** on the table subject to call.

The motion prevailed without objection.

**CSSB 392** (Gattis - House Sponsor), A bill to be entitled An Act relating to a repeal of exemptions from certain truth-in-taxation provisions for certain conservation and reclamation districts.

Representative Gattis moved to postpone consideration of **CSSB 392** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 439** (Hamric - House Sponsor), A bill to be entitled An Act relating to an offense involving a motor vehicle with an altered or obscured license plate.

**SB 463** (Eiland - House Sponsor), A bill to be entitled An Act relating to structures that constitute insurable property under the Texas Windstorm Insurance Association.

#### **Amendment No. 1**

On behalf of Representative Reyna, Representative Eiland offered the following amendment to **SB 463**:

Amend **SB 463** as follows:

(1) Strike SECTION 1 of the bill (page 1, line 5, through page 2, line 18, house committee printing) and substitute the following:

SECTION 1. Section 3(f), Article 21.49, Insurance Code, is amended to read as follows:

(f) "Insurable Property" means immovable property at fixed locations in a catastrophe area or corporeal movable property located therein (as may be designated in the plan of operation) which property is determined by the Association, pursuant to the criteria specified in the plan of operation to be in an insurable condition against windstorm, hail and/or fire and explosion as appropriate, as determined by normal underwriting standards; provided, however, that insofar as windstorm and hail insurance is concerned, any structure located within a catastrophe area, commenced on or after the 30th day following the publication of the plan of operation, not built or continuing in compliance with building specifications set forth in the plan of operation shall not be an insurable risk under this Act except as otherwise provided under this Act. A structure, or an addition thereto, which is constructed in conformity with plans and specifications that comply with the specifications set forth in the plan of operation at the time construction commences shall not be declared ineligible for windstorm and hail insurance as a result of subsequent changes in the building specifications set forth in the plan of operation. When repair of damage to a

structure involves replacement of items covered in the building specifications as set forth in the plan of operation, such repairs must be completed in a manner to comply with such specifications for the structure to continue within the definition of Insurable Property for windstorm and hail insurance. Nothing in this Act shall preclude special rating of individual risks as may be provided in the plan of operation. For purposes of this Act, all structures which are located within those areas designated as units under the federal Coastal Barrier Resources Act (Public Law 97-348) and for which construction has commenced on or after January 1, 2003, [July 1, 1991] shall not be considered insurable property.

(2) Insert the following new SECTION and renumber the SECTIONS of the bill appropriately:

SECTION \_\_\_\_\_. A structure for which construction commenced on or after July 1, 1991, but before January 1, 2003, is insurable property for purposes of Section 3(f), Article 21.49, Insurance Code, as amended by this Act.

Amendment No. 1 was adopted without objection.

**SB 467** (Hochberg - House Sponsor), A bill to be entitled An Act relating to the operation of the Texas Health Insurance Risk Pool.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Seaman, Representative Hochberg offered the following committee amendment to **SB 467**:

Amend **SB 467** as follows:

(1) Insert a new SECTION 13 in the bill (page 12, between lines 19 and 20, senate engrossment printing) to read as follows:

SECTION 13. Article 3.77, Insurance Code, is amended by adding Section 17 to read as follows:

Sec. 17. STUDY ON EXPANSION OF POOL COVERAGE. (a) The department shall study how to expand eligibility in the pool to include a person who:

(1) does not receive health insurance coverage through the person's employer; and

(2) is unable to obtain health insurance coverage on the open market.

(b) The study must consider ways to accomplish the expansion of eligibility while minimizing cost shifting from employers to the pool.

(c) The department shall report the results of the study to the governor, the lieutenant governor, the speaker of the house of representatives, and the members of the 79th Legislature not later than January 15, 2005.

(d) This section expires July 1, 2005.

(2) Renumber the subsequent SECTIONS of the bill appropriately.

Amendment No. 1 was adopted without objection.

**SB 480** (Mercer - House Sponsor), A bill to be entitled An Act relating to excepting certain land from the additional tax imposed on the change of use of land appraised for ad valorem tax purposes as open-space land.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Hill, Representative Mercer offered the following committee amendment to **SB 480**:

Amend **SB 480** as follows:

(1) In SECTION 1 of the bill, in proposed Section 23.55(f)(4), Tax Code (Senate engrossed version, page 1, line 23), strike "in the next fiscal biennium" and substitute "during the next two fiscal bienniums".

(2) In SECTION 1 of the bill, in proposed Section 23.55(m), Tax Code (Senate engrossed version, page 2, line 11), strike "in the next fiscal biennium" and substitute "during the next two fiscal bienniums".

(3) In SECTION 1 of the bill, in proposed Section 23.55(n), Tax Code (Senate engrossed version, page 2, line 19), strike "fiscal biennium" and substitute "two fiscal bienniums".

Amendment No. 1 was adopted without objection.

**SB 485** (Krusee - House Sponsor), A bill to be entitled An Act relating to the use of exclusive development agreements by an intermunicipal commuter rail district.

**SB 487** (Krusee - House Sponsor), A bill to be entitled An Act relating to the relocation of utilities required for the improvement of the state highway system.

**SB 494** (Uresti - House Sponsor), A bill to be entitled An Act relating to information provided by certain health benefit plans through the Internet.

**SB 581** (Marchant - House Sponsor), A bill to be entitled An Act relating to an optional discount in homeowners' insurance premiums for the use of an insulating concrete form system.

**SB 582** (Driver - House Sponsor), A bill to be entitled An Act relating to the consolidation of certain offenses relating to the driving of a motor vehicle while a driver's license or privilege to operate a vehicle is invalid.

**SB 599** (Corte - House Sponsor), A bill to be entitled An Act relating to investigation and testing, technical assistance, and certain other matters related to indoor air quality in state buildings.

**SB 613** (Hupp - House Sponsor), A bill to be entitled An Act relating to the automatic suspension of the driver's license of a person younger than 21 on conviction of an offense involving an abusable volatile chemical.

**SB 637** (E. Jones - House Sponsor), A bill to be entitled An Act relating to elimination of the state payment for certain national insurance database fees.

**SB 674** (Rose, Solis, Hegar, and Garza - House Sponsors), A bill to be entitled An Act relating to compensatory time off for certain persons who are employed by the state as peace officers.

**SB 681** (Eiland - House Sponsor), A bill to be entitled An Act relating to the standard nonforfeiture law for certain annuities.

**SB 688** (Giddings - House Sponsor), A bill to be entitled An Act relating to the boards of trustees of certain school districts.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Hochberg, Representative Giddings offered the following committee amendment to **SB 688**:

Amend **SB 688** by inserting the following between the word "board" and the period on page 1, at line 23:

"that may be adopted under general law by any other school district"

Amendment No. 1 was adopted without objection.

Representative Taylor moved to lay **SB 709** on the table subject to call.

The motion prevailed without objection.

**SB 739** (Capelo and Naishtat - House Sponsors), A bill to be entitled An Act relating to aggregate or statistical information about the screening program for hearing loss in newborns.

**SB 741** (Griggs - House Sponsor), A bill to be entitled An Act relating to certification in first aid and cardiopulmonary resuscitation for certain school district employees.

**SB 757** (Denny - House Sponsor), A bill to be entitled An Act relating to the application for a candidate to be placed on the general primary election ballot.

**SB 767** (J. Davis - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Road Improvement District No. 1; providing authority to impose a tax and issue bonds.

**SB 769** (Capelo - House Sponsor), A bill to be entitled An Act relating to the licensing and regulation of surgical assistants.

**SB 791** (Alonzo - House Sponsor), A bill to be entitled An Act relating to a program to monitor the collection and remittance of certain court costs and fees.

**SB 802** (Riddle - House Sponsor), A bill to be entitled An Act relating to the use of alternate grand jurors.

**SB 805** (Hilderbran - House Sponsor), A bill to be entitled An Act relating to donation of certain surplus school district property to preserve the property.

**SB 810** (Naishtat - House Sponsor), A bill to be entitled An Act relating to the regulation of social workers; providing a criminal penalty.

**SB 815** (Eissler - House Sponsor), A bill to be entitled An Act relating to the development of essential knowledge and skills for subjects in the enrichment curriculum.

**SB 837** (Riddle - House Sponsor), A bill to be entitled An Act relating to the offense of aggravated sexual assault against a disabled or elderly individual.

**SB 841** (Noriega - House Sponsor), A bill to be entitled An Act relating to the regulation of certain extra job coordinators by the Texas Commission on Private Security.

**SB 879** (Van Arsdale - House Sponsor), A bill to be entitled An Act relating to appeals of adverse determinations made by health maintenance organizations.

**SB 891** (McCall - House Sponsor), A bill to be entitled An Act relating to the operation of the joint underwriting association under the Texas Medical Liability Insurance Underwriting Association Act.

**SB 895** (Swinford - House Sponsor), A bill to be entitled An Act relating to the conducting of a driver education course by certain family members of the student.

#### **Amendment No. 1**

Representatives Swinford and Driver offered the following amendment to **SB 895**:

Amend Engrossed **SB 895** as follows:

amend Section 521.205(a), Transportation Code to read as follows:

(a) The department by rule shall provide for approval of a driver education course conducted by the parent, stepparent, legal guardian, step-grandparent, or grandparent of a person who is required to complete a driver education course to obtain a Class C license. The rules must provide that:

(1) the person conducting the course ~~be a licensed driver~~ possess a valid license for the preceding three years; and

(A) the license has not been suspended, revoked or forfeited in the past three years for traffic related violations;

(2) the student driver spend a minimum number of hours in:

(A) classroom instruction; and

(B) behind-the-wheel instruction;

(3) the person conducting the course not be convicted of:

(A) criminally negligent homicide; or

(B) driving while intoxicated; and

(4) the person conducting the course not be disabled because of mental illness.

Amendment No. 1 was adopted without objection.

**SB 902** (Hopson - House Sponsor), A bill to be entitled An Act relating to the term of a contract between an appraisal district and the financial entity designated as the depository for the district.

**SB 905** (Hamric - House Sponsor), A bill to be entitled An Act relating to reimbursement for land removed from emergency service districts and dispute resolution relating to the amount of reimbursement.

**CSSB 921** (Haggerty and Allen - House Sponsors), A bill to be entitled An Act relating to the operation of community supervision and corrections departments and to the early release of a defendant from community supervision.

Representative Gattis moved to postpone consideration of **SB 921** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 923** (Miller - House Sponsor), A bill to be entitled An Act relating to criminal history checks of certain employees and applicants for employment in nursing homes and assisted living facilities and to the period within which a nursing home or assisted living facility must request certain criminal history checks.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Wohlgemuth, Representative Miller offered the following committee amendment to **SB 923**:

Amend the proposed **SB 923** by adding a new SECTION 3 to read as follows:

SECTION 3. The change in law made by this Act to Section 250.006, Health and Safety Code, does not apply to a person who is employed by a facility on the effective date of this Act for the period during which the person is continuously employed by that facility.

Renumber the existing SECTION 3 to SECTION 4.

Amendment No. 1 was adopted without objection.

**SB 968** (Naishtat - House Sponsor), A bill to be entitled An Act relating to a program to promote participation by public junior college students in individual development account programs.

**SB 972** (McCall - House Sponsor), A bill to be entitled An Act relating to the addition of certain municipalities to the territory of a regional transportation authority.

**SB 1000** (Goodman - House Sponsor), A bill to be entitled An Act relating to a statistical or demographic analysis conducted by the Texas Legislative Council for a state agency and to information collected by the council in the course of performing the analysis.

**Amendment No. 1**

On behalf of Representative Reyna, Representative Goodman offered the following amendment to **SB 1000**:

Amend **SB 1000** as follows:

(1) In SECTION 1 of the bill, in the first sentence of Subsection (a), Section 2113.108, Government Code, as added by the bill (house committee printing, page 1, line 9), between "(a) A state agency" and "may not use appropriated", insert "other than the offices of the attorney general and comptroller".

(2) Strike existing SECTION 2 of the bill (house committee printing, page 2, lines 4-22) and substitute the following:

SECTION 2. Chapter 323, Government Code, is amended by adding Section 323.020 to read as follows:

Sec. 323.020. CONTRACTS TO PERFORM STATISTICAL OR DEMOGRAPHIC ANALYSIS; CONFIDENTIALITY. (a) Except for Subsection (b), this section does not apply in relation to a statistical or demographic analysis of information related to the redistricting process.

(b) The council may determine whether and the extent to which council resources are available to perform or assist a state agency in performing a statistical or demographic analysis of information as described by Section 2113.108.

(c) Except as provided by this section, information that the council acquires or produces in relation to a statistical or demographic analysis described by Section 2113.108 is confidential and not public information subject to Chapter 552, including:

(1) any information that identifies or tends to identify an individual or other entity that submitted information or that was asked to submit information for the analysis;

(2) working drafts and working papers developed in performing the analysis;

(3) contracts and subcontracts entered into for purposes of performing the analysis;

(4) internal and interagency correspondence sent or received in the course of performing the analysis;

(5) memoranda of understanding entered into in relation to performing the analysis; and

(6) data, data files, databases, computer coding, computer specification programs, data use agreements, and data dictionaries acquired or used in performing the analysis.

(d) Without regard to whether the council collects information for purposes of performing a statistical or demographic analysis of information as described by Section 2113.108 indirectly through the state agency or directly from another governmental or nongovernmental entity, an individual or other entity that voluntarily provides information to the state agency or to the council for purposes of the analysis does not waive any exception from required disclosure or any privilege not to disclose the information, and the character of the information as privileged or excepted from required disclosure is not affected by that action of the individual or other entity.

(e) A final report containing a statistical or demographic analysis of information as described by Section 2113.108, a cover letter or cover memorandum for the final report, and an announcement that the final report is available are not confidential and are subject to required public disclosure under Chapter 552 except to the extent that the final report, cover letter or cover memorandum, or announcement contains information that identifies or tends to identify an individual or entity other than information that names a staff member who performed work in relation to performing the analysis or that names government officials on a letterhead.

(f) Notwithstanding Subsection (c)(3), a contract between the council and a state agency under Section 2113.108 and the names of the staff members who perform work in relation to performing the analysis under the contract are not confidential. A contract between the council and a state agency under Section 2113.108 is public information subject to Chapter 552.

(g) Information that an individual or other entity submits for the purpose of a statistical or demographic analysis of information performed by the council under Section 2113.108 may not be used against the individual or other entity in a state agency enforcement proceeding. This subsection does not affect the ability of a state agency to obtain the information by other means and to use the information, if obtained by other means, in a state agency enforcement proceeding.

(3) Add the following new SECTION 3 of the bill and renumber existing SECTION 3 of the bill as SECTION 4 of the bill:

SECTION 3. Section 552.112, Government Code, is amended by adding Subsection (c) to read as follows:

(c) Information is excepted from the requirements of Section 552.021 if it is information submitted by an individual or other entity to the Texas Legislative Council, or to any state agency or department overseen by the Finance Commission of Texas and the information has been or will be sent to the Texas Legislative Council, for the purpose of performing a statistical or demographic analysis of information subject to Section 323.020. However, this subsection does not except from the requirements of Section 552.021 information that does not identify or tend to identify an individual or other entity and that is subject to required public disclosure under Section 323.020(e).

Amendment No. 1 was adopted without objection.

**SB 1007** (Giddings and Wise - House Sponsors), A bill to be entitled An Act relating to student eligibility for a TEXAS grant.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Giddings offered the following committee amendment to **SB 1007**:

Amend **SB 1007** as follows:

(1) In SECTION 3 of the bill, strike the introductory language (Senate Engrossment, page 3, lines 7-9) and substitute "Subsections (f) and (j), Section 56.307, Education Code, are amended to read as follows:".

(2) In SECTION 3 of the bill, immediately after amended Subsection (f), Section 56.307, Education Code (Senate Engrossment, page 3, between lines 14 and 15), insert the following:

(j) An institution may use other available sources of financial aid, other than a loan [~~or a Pell grant~~], to cover any difference in the amount of a TEXAS grant and the actual amount of tuition and required fees at the institution.

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Giddings offered the following amendment to **SB 1007**:

Amend **SB 1007** (Senate Engrossment) as follows:

(1) In SECTION 3 of the bill, in the introductory language (page 3, line 7), strike "Subsection (f)" and substitute "Subsections (f) and (h)".

(2) In SECTION 3 of the bill, in the introductory language (page 3, line 9), strike "is" and substitute "are".

(3) At the end of SECTION 3 of the bill (page 3, between lines 14 and 15), insert the following:

(h) The total amount of grants that a student may receive in an academic year under this subchapter and under Section 61.221 may not exceed the total amount of tuition and required fees charged to the student for the academic periods for which one or more of the grants were awarded [~~maximum amount authorized under Section 61.227~~].

(4) In SECTION 4 of the bill, immediately after "SECTION 4." (page 3, line 15), insert "(a)".

(5) At the end of SECTION 4 of the bill (page 3, between lines 20 and 21), insert the following:

(b) The change in law made by this Act to Section 56.307, Education Code, applies beginning with the 2003-2004 academic year.

Amendment No. 2 was adopted without objection.

**SB 1019** (Hilderbran - House Sponsor), A bill to be entitled An Act relating to the powers, duties, taxing authority, and dissolution procedure of the Ballinger Memorial Hospital District.

**SB 1038** (Hupp, Naishtat, and Uresti - House Sponsors), A bill to be entitled An Act relating to the transfer of the Communities In Schools program.

**SB 1053** (Geren - House Sponsor), A bill to be entitled An Act relating to certain water pollution and conservation programs administered by the Texas Water Development Board.

#### **Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Puente, Representative Geren offered the following committee amendment to **SB 1053**:

Amend **SB 1053** as follows:

(1) On page 15, line 9 and 10, strike "as provided by legislative appropriation".

(2) On page 16, line 16, strike "as provided by legislative appropriation".

(3) On page 16, line 19, strike "the terms of the legislative appropriation language." and insert ":

(1) the commitment of the state agency to water conservation; and

(2) the benefits that will be gained by making the grant.

(c) ".

(4) On page 16, line 20 and 21, strike "shall make the determination required by the legislative language" and insert "must find that:

(1) the grant funds will supplement rather than replace money of the state agency;

(2) the public interest is served by providing the grant; and

3) the grant will further water conservation in the state.

(d) If a state agency is applying for funds that have been provided by legislative appropriation for such state agency, the board shall review the application according to the terms of the legislative appropriation. To approve such grant, the board shall make the determination required by the legislative language".

(5) On page 16, line 22, strike "(c)" and insert "(e)"

Amendment No. 1 was adopted without objection.

**SB 1073** (Miller - House Sponsor), A bill to be entitled An Act relating to convictions barring employment in certain facilities serving the elderly or persons with disabilities.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Wohlgemuth, Representative Miller offered the following committee amendment to **SB 1073**:

Amend the proposed **SB 1073** by adding a new SECTION 2 to read as follows:

SECTION 2. The change in law made by this Act to Section 250.006, Health and Safety Code, does not apply to a person who is employed by a facility on the effective date of this Act for the period during which the person is continuously employed by that facility.

Renumber the remaining SECTIONS accordingly.

Amendment No. 1 was adopted without objection.

**SB 1082** (Phillips - House Sponsor), A bill to be entitled An Act relating to loans from the permanent school fund for the acquisition of rights-of-way for the state highway system.

**CSSB 1105** (Goolsby - House Sponsor), A bill to be entitled An Act relating to amendments to the Texas Timeshare Act.

Representative Goolsby moved to postpone consideration of **CSSB 1105** until 12:08 a.m. Tuesday, June 3.

The motion prevailed without objection.

**CSSB 1107** (Hartnett - House Sponsor), A bill to be entitled An Act relating to the assignment and compensation of certain justices or judges as visiting judges and to service credit in the judicial retirement system for certain visiting judges.

**SB 1109** (Van Arsdale - House Sponsor), A bill to be entitled An Act relating to revocation of the certificate and termination of the employment of public school educators convicted of certain offenses.

**SB 1114** (Garza - House Sponsor), A bill to be entitled An Act relating to secondary employment by officers commissioned by the Department of Public Safety of the State of Texas.

**SB 1117** (Eissler - House Sponsor), A bill to be entitled An Act relating to optional benefits under the Texas school employees uniform group coverage program.

Representative Garza moved to lay **SB 1120** on the table subject to call.

The motion prevailed without objection.

**SB 1127** (Mercer - House Sponsor), A bill to be entitled An Act relating to the creation of a coaching education program by the San Antonio Life Sciences Institute.

**SB 1128** (F. Brown - House Sponsor), A bill to be entitled An Act relating to the administration of the Joint Admission Medical Program.

**SB 1129** (Riddle - House Sponsor), A bill to be entitled An Act relating to the admissibility in a criminal proceeding of certain laboratory analyses of physical evidence or statements as to the chain of custody of physical evidence.

**SB 1143** (Corte and Castro - House Sponsors), A bill to be entitled An Act relating to designation of defense economic readjustment zones and defense readjustment projects.

**SB 1154** (Hilderbran and Solomons - House Sponsors), A bill to be entitled An Act relating to state publications maintained by the Texas State Library and Archives Commission.

#### **Amendment No. 1**

Representative Hilderbran offered the following amendment to **SB 1154**:

Amend **SB 1154** immediately after SECTION 5 of the bill (engrossed version page 4, after line 27) by inserting the following new SECTION and renumbering the subsequent SECTIONS appropriately:

SECTION 6. Subchapter I, Chapter 441, Government Code, is amended by adding Section 441.1281 to read as follows:

Sec. 441.1281. CREATION OF LIBRARY DISTRICTS IN CERTAIN MUNICIPALITIES. (a) This section applies only to a municipality that does not have a municipal public library accredited for membership in the state library system.

(b) An election to adopt or increase the local sales and use tax under Subchapter E, Chapter 326, Local Government Code, is to be treated also as an election that will have the effect of reducing the tax rate of an industrial development district if:

(1) all or any part of the proposed district is included within the boundaries of an industrial development corporation created under Section 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), by the municipality after the date of the first filing of a petition with the commissioners court of the county to create a library district under Chapter 326, Local Government Code; and

(2) the adoption or increase of the local sales and use tax under Subchapter E, Chapter 326, Local Government Code, would result in a combined tax rate of more than two percent in any location in the proposed district.

(c) If the voters approve the adoption or increase of the district tax under Subsection (b), the tax rate to which the development corporation's tax is reduced is the highest rate that will not result in a combined tax rate of more than two percent in any location in the proposed district.

(d) The rate of the tax imposed by the development corporation is increased without further action of the board or the voters of the development corporation or the district on the date on which the tax imposed under Subchapter E, Chapter 326, Local Government Code, is decreased or expires. The development corporation's tax rate increases only to the extent that any tax imposed by the development corporation was reduced under this section when the tax imposed by the district was adopted or increased.

(e) This section does not permit a taxing unit to impose taxes at different tax rates in the territory of the unit.

(f) For the purposes of holding an election as described by this section, a petition filed before, on, or after September 1, 2003, with the commissioners court of the county to create a library district is effective and valid for subsequent filing purposes until the second anniversary of the date on which the petition was first filed.

(g) If the boundaries of the proposed library district include any territory that, on the date on which a petition is filed on the question of creating the district, is part of a municipality that operates a municipal public library accredited for membership in the state library system, the governing body of that municipality must consent by resolution to allow the inclusion of that municipal territory in the proposed district.

Amendment No. 1 was adopted without objection.

**SB 1155** (Dukes - House Sponsor), A bill to be entitled An Act relating to the purchase of certain wireless communication devices by state agencies.

**SB 1159** (Krusee - House Sponsor), A bill to be entitled An Act relating to the regulation of motor vehicle emissions in counties participating in early action compacts.

**SB 1161** (Lewis - House Sponsor), A bill to be entitled An Act relating to authorizing counties and municipalities to provide certain services through the Internet.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Lewis offered the following committee amendment to **SB 1161**:

Amend **SB 1161** as follows:

(1) In Section 1 of the bill, in amended Section 132.007(b), Local Government Code (engrossed version, page 1, line 16), strike "a service" and substitute "access, collecting payments, or providing services [~~a service~~]".

(2) In Section 1 of the bill, in amended Section 132.007(d), Local Government Code (engrossed version, page 2, line 4), strike "perform a service" and substitute "provide access, collect payments, or provide services [~~perform a service~~]".

Amendment No. 1 was adopted without objection.

**CSSB 1165** (J. Moreno - House Sponsor), A bill to be entitled An Act relating to certain fees in Title IV-D cases.

**SB 1180** (Hughes - House Sponsor), A bill to be entitled An Act relating to an index of court costs and fees in civil proceedings, court costs on conviction, and other court-related fees and costs.

**SB 1192** (Seaman - House Sponsor), A bill to be entitled An Act relating to the operation of the Texas Property and Casualty Insurance Guaranty Association.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Seaman offered the following committee amendment to **SB 1192**:

Amend **SB 1192** to read as follows:

1) On page 2, beginning on line 7, strike "self-insured governmental entity, or self-insurance pool or joint insurance fund created by one or more political subdivisions under Chapter 791, Government Code, or Chapter 504, Labor Code,"

2) On page 2, beginning on line 12, after "insurer," strike "self-insurer governmental entity, or self-insurance pool or joint insurance fund created by one or more political subdivisions under Chapter 791, Government Code, or Chapter 504, Labor Code,"

Amendment No. 1 was adopted without objection.

**SB 1207** was withdrawn.

**SB 1215** (E. Jones - House Sponsor), A bill to be entitled An Act relating to changing the deadlines and authority for ordering the election and filing for candidacy in political subdivision elections.

**SB 1225** (Capelo, Hughes, and Mabry - House Sponsors), A bill to be entitled An Act relating to the removal of a body part or tissue from a decedent who died under circumstances requiring an inquest.

**SB 1230** (F. Brown - House Sponsor), A bill to be entitled An Act relating to authorizing an environmental service fee at Southwest Texas State University.

**SB 1245** (Kolkhorst - House Sponsor), A bill to be entitled An Act relating to the governance of the Crime Victims' Institute.

**CSSB 1252** (Driver - House Sponsor), A bill to be entitled An Act relating to the regulation of certain activities associated with providing private security.

**SB 1262** (Hegar - House Sponsor), A bill to be entitled An Act relating to the use of certain incentives by municipalities for certain economic development.

**Amendment No. 1**

Representative Hegar offered the following amendment to **SB 1262**:

Amend **SB 1262** by striking SECTION 2 of the bill and substituting the following:

SECTION 2. (a) This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

(b) This Act applies only to an economic incentive agreement, including a renewal or renegotiation of a previous agreement, entered into on or after the effective date of this Act. An economic incentive agreement, including a renewal or renegotiation of a previous agreement, entered into before the effective date of this Act is governed by the law in effect on the date the agreement was entered into, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted without objection.

**CSSB 1273** (Flores - House Sponsor), A bill to be entitled An Act relating to suspension and alternatives to suspension of alcoholic beverage licenses and permits.

**SB 1276** (Morrison - House Sponsor), A bill to be entitled An Act relating to the Lavaca-Navidad River Authority, formerly known as the Jackson County Flood Control District.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Hardcastle, Representative Morrison offered the following committee amendment to **SB 1276**:

Amend **SB 1276** as follows:

(1) In SECTION 1 of the bill, in amended Section 1(a), Chapter 186, Acts of the 50th Legislature, Regular Session, 1947 (Senate engrossed version, page 2, line 9), strike "development, generation, distribution," and substitute "financing of and aiding in the development of facilities located on lands owned by the District for the generation, transmission,".

(2) In SECTION 2 of the bill, in proposed Section 2(o), Chapter 186, Acts of the 50th Legislature, Regular Session, 1947 (Senate engrossed version, page 7, line 3), between "generation" and the semicolon, insert ", to the extent authorized by Section 1(a) of this Act".

(3) In SECTION 2 of the bill, in proposed Section 2(p), Chapter 186, Acts of the 50th Legislature, Regular Session, 1947 (Senate engrossed version, page 7, line 21), between "facility" and the semicolon, insert "to the extent authorized by Section 1(a) of this Act".

Amendment No. 1 was adopted without objection.

**SB 1281** (B. Keffer - House Sponsor), A bill to be entitled An Act relating to the rulemaking authority of the commissioner of insurance.

Representative B. Keffer moved to postpone consideration of **SB 1281** until the end of the local and consent calendar.

The motion prevailed without objection.

Representative Noriega moved to lay **SB 1288** on the table subject to call.

The motion prevailed without objection.

**SB 1315** (Capelo - House Sponsor), A bill to be entitled An Act relating to the establishment of pharmacy license classifications by the Texas State Board of Pharmacy.

**CSSB 1318** (Menendez - House Sponsor), A bill to be entitled An Act relating to authorization of securities lending for governmental entities.

**CSSB 1343** (Morrison - House Sponsor), A bill to be entitled An Act relating to the regulation and operation of certain career schools and colleges.

**SB 1362** (B. Cook and Hopson - House Sponsors), A bill to be entitled An Act relating to the development of a regional water supply reservoir project at Lake Eastex reservoir site, the renaming of the site as Lake Columbia, and the acquisition of the site and other property; providing for the issuance of bonds.

**SB 1367** (Isett - House Sponsor), A bill to be entitled An Act relating to student union fees at component institutions of the Texas Tech University System.

**SB 1382** (Heflin - House Sponsor), A bill to be entitled An Act relating to the continuation of certain professional and occupational licensing boards as self-directed and semi-independent agencies and to certain required reports for such agencies.

#### **Amendment No. 1**

On behalf of Representative Reyna, Representative Heflin offered the following amendment to **SB 1382**:

Amend **SB 1382** by adding the following new SECTION 5 to the bill and by renumbering existing SECTION 5 of the bill as SECTION 6 of the bill:

SECTION 5. If a conflict exists between this Act and another Act of the 78th Legislature, Regular Session, 2003, that amends the Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), including an Act that continues a project agency in accordance with Chapter 325, Government Code (Texas Sunset Act), this Act controls without regard to the relative dates of enactment.

Amendment No. 1 was adopted without objection.

**SB 1387** (Homer and Flores - House Sponsors), A bill to be entitled An Act relating to the regulation of racing.

#### **Amendment No. 1**

On behalf of Representative Reyna, Representative Homer offered the following amendment to **SB 1387**:

Amend **SB 1387** by adding a new SECTION appropriately numbered, to read as follows:

SECTION \_\_\_\_\_. Section 3.07(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes) is amended to read as follows:

(a) The commission shall employ one [aH] of the judges and one [aH] of the stewards for the supervision of a horse race or greyhound race meeting. Each horse race or greyhound race meeting shall be supervised by three stewards for

horse racing or by three judges for greyhound racing. The commission shall designate one of the stewards or judges as the presiding steward or judge for each race meeting. The association, following the completion of the race meeting, may submit written comments to the commission regarding the job performance of the stewards and judges for the commission's review. Comments received are not binding, in any way, on the commission. For each race meeting, the commission shall employ at least one state veterinarian. The commission may, by rule, impose a fee on an association to offset the costs of compensating the stewards, judges, and state veterinarians. The amount of the fee for the compensation of stewards, judges, and state veterinarians must be reasonable according to industry standards for the compensation of those officials at other racetracks and may not exceed the actual cost to the commission for compensating the officials. All other racetrack officials shall be appointed by the association, with the approval of the commission. Compensation for those officials not compensated by the commission shall be determined by the association.

Amendment No. 1 was adopted without objection.

**SB 1388** (Kolkhorst - House Sponsor), A bill to be entitled An Act relating to access to certain personal information under the public information law.

**SB 1419** (Eiland and Capelo - House Sponsors), A bill to be entitled An Act relating to anatomical specimens and donees of anatomical gifts.

**SB 1459** (W. Smith - House Sponsor), A bill to be entitled An Act relating to access to criminal history record information by a county fire marshal.

**CSSB 1460** (W. Smith - House Sponsor), A bill to be entitled An Act relating to county fire marshals and county fire protection; providing penalties.

**SB 1461** (W. Smith - House Sponsor), A bill to be entitled An Act relating to the sale of used fire-fighting equipment to certain volunteer fire departments.

**SB 1463** (Hamric - House Sponsor), A bill to be entitled An Act relating to the conversion of a nontoll state highway to a toll facility.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Hamric offered the following committee amendment to **SB 1463**:

Amend **SB 1463** as follows:

On page 1, line 7, between "COUNTY" and "." insert the following: "OR TOLL ROAD AUTHORITY"

On page 1, lines 8 through 11, delete the current subsection (a) and substitute the following new subsection (a) to read as follows:

(a) The commission may convey a nontoll state highway or a segment of a nontoll state highway, including real property acquired to construct or operate the highway to:

(A) a county or a toll road authority in the county in which the state highway or segment is located; or

(B) a county or toll road authority in a county adjacent to the county in which the highway or a segment is located if the county or toll road authority in the county in which the segment or highway is located approves the conveyance;

for operation and maintenance as a project under this chapter if:

On page 1, line 19 between "county" and "agrees" insert the following: "or toll road authority"

On page 1, line 20 between "county" and "that" insert the following: "or toll road authority"

On page 2, line 19 between "county" and "may" insert the following: "or toll road authority"

On page 2, line 19 between "county" and "or" insert the following: ", toll road authority"

On page 2, lines 19 and 20 between "county" and "determines" insert: "or toll road authority"

On page 3, line 6 between "county" and "or" insert the following: ", toll road authority"

On page 3, line 19 between "county" and "; and" insert the following: "or area served by the toll road authority"

On page 3, line 9 between "county" and "determines" insert the following: "or toll road authority"

On page 3, line 10 between "county" and ":" insert the following: "or area served by the toll road authority"

On page 3, line 13 between "loop" and "located" insert the following: "or connecting to an outer loop"

On page 3, line 19 between "million" and ":" insert the following: "or an adjacent county"

Amendment No. 1 was adopted without objection.

**CSSB 1465** (Hamric - House Sponsor), A bill to be entitled An Act relating to the establishment of criminal law magistrates in Harris County.

**SB 1470** (Grusendorf and Dutton - House Sponsors), A bill to be entitled An Act relating to student eligibility to participate in a high school equivalency program and to authorization of a school district or open-enrollment charter school to operate a program.

#### **Amendment No. 1 (Committee Amendment No. 1)**

Representative Grusendorf offered the following committee amendment to **SB 1470**:

Amend **SB 1470** as follows:

(1) On page 2, line 16, strike "one half" and substitute "one third".

(2) Strike lines 21 on page 2 through line 11 on page 3 and substitute the following:

(f) A [~~Except as otherwise provided by this subsection, a~~] student participating in a program authorized by this section must have taken the [~~exit level~~] assessment instruments specified by Section [~~39.025(a)~~] 39.023(a) for

grade 9 before entering the program and [or] must take each grade level [those] assessment instrument administered [instruments] during the period [first year] in which the student is enrolled in the program. ~~[The commissioner may authorize a student to take the assessment instruments required by Section 39.023(a) to be administered to students in grade 10 instead of the exit level assessment instruments.]~~ A student participating in the program may not take the high school equivalency examination unless the student has taken the assessment instruments required by this subsection.

Amendment No. 1 was adopted without objection.

**CSSB 1472** (Goolsby - House Sponsor), A bill to be entitled An Act relating to zoological operation and maintenance boards; authorizing taxes and bonds.

**SB 1481** (Hughes - House Sponsor), A bill to be entitled An Act relating to the repeal of the Caddo Lake Compact.

**SB 1484** (West - House Sponsor), A bill to be entitled An Act relating to the acceptance of organization reports and permit applications and approval of certificates of compliance by the Railroad Commission of Texas.

**CSSB 1488** (Grusendorf - House Sponsor), A bill to be entitled An Act relating to the misconduct of a person who is employed by or is seeking employment by a school district, regional education service center, or shared services arrangement.

**SB 1494** (Puente - House Sponsor), A bill to be entitled An Act relating to the powers of Bexar Metropolitan Water District.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Puente offered the following committee amendment to **SB 1494**:

Amend **SB 1494** (Engrossed Version) by striking lines 1 through 12 on page 8 and substituting the following new SECTION 3:

SECTION 3. Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126 Vernon's Civil Statutes) is amended by adding SECTION 5A to read as follows:

Sec. 5A (1) The district's boundaries for purposes of the exercise of its powers and duties is defined in Section 5, Chapter 306, Acts of the 49th Legislature, 1945 (Article 8280-126 Vernon's Texas Civil Statutes).

(2) In conformity with the Court's Judgment dated April 22, 1996 in Cause No. SA96CA0335, Rios v. Bexar Metropolitan Water District et al., (U.S. District Court - W.D. Texas), and for the purpose of the exercise of its current retail water utility services, the District's boundaries shall include the territory defined in all or applicable portions of census tracts or property situated within any area certified by the Texas Commission on Environmental Quality to the District on the date of passage of this Act pursuant to Certificates of Convenience and Necessity Nos. 10675, 12759, and 12760.

Amendment No. 1 was adopted without objection.

**SB 1521** (Morrison - House Sponsor), A bill to be entitled An Act relating to tuition charged by a public institution of higher education for certain graduate programs.

**SB 1546** (Nixon - House Sponsor), A bill to be entitled An Act relating to laboratory and certain other related fees for public junior colleges.

**CSSB 1551** (Hartnett - House Sponsor), A bill to be entitled An Act relating to the creation of additional judicial districts, to filing fees in the district courts in Collin County, and to the jurisdiction of the county courts at law in Cameron County.

**SB 1559** (Lewis - House Sponsor), A bill to be entitled An Act relating to the confidentiality of and access to certain personal information contained in instruments recorded with a county clerk.

**SB 1570** (Puate - House Sponsor), A bill to be entitled An Act relating to certain public water supply wells in the Trinity Glen Rose Groundwater Conservation District.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Puate offered the following committee amendment to **SB 1570**:

Amend **SB 1570** by inserting the following:

(f) The district shall not prohibit the sale, purchase, lease, or trade of groundwater by a private well owner under this section.

Amendment No. 1 was adopted without objection.

**SB 1571** (Capelo - House Sponsor), A bill to be entitled An Act relating to the regulation of dental laboratories and dental technicians.

**SB 1582** (Keel - House Sponsor), A bill to be entitled An Act relating to authorizing political subdivisions and property owners' associations to trap and transport white-tailed deer.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Hilderbran, Representative Keel offered the following committee amendment to **SB 1582**:

Amend **SB 1582** as follows:

(1) On page 1, line 23, after the period insert "If the department issues a permit to a requesting political subdivision or property owners' association the permit shall contain specific instructions detailing the location to which the trapped white-tailed deer are to be transported or transplanted."

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representatives Keel, Callegari, and Hilderbran offered the following amendment to **SB 1582**:

Amend **SB 1582** as follows:

On page 2, line 23, between "a" and "case" insert "the provision of (e) does not apply and".

On page 3, line 9 between "rules" and "relating" insert "which enhance the opportunity to relocate over population of urban deer and".

Amendment No. 2 was adopted without objection.

**SB 1614** (Homer - House Sponsor), A bill to be entitled An Act relating to imposing a civil penalty for violation of certain restrictions relating to genetic information.

**CSSB 1633** (Puente - House Sponsor), A bill to be entitled An Act relating to the installation and use of a water softener or reverse osmosis system by an owner of an on-site sewage disposal system.

**SB 1642** (Merritt, Berman, Hughes, Hopson, McReynolds, et al. - House Sponsors), A bill to be entitled An Act relating to the establishment of a geriatric education and care research center at The University of Texas Health Science Center at Tyler.

**SB 1643** (Denny - House Sponsor), A bill to be entitled An Act relating to the appointment of election officers for a central counting station for certain elections.

**SB 1659** (Mercer - House Sponsor), A bill to be entitled An Act relating to certain ad valorem tax exemptions, payments, and refunds.

**Amendment No. 1**

On behalf of Representative Reyna, Representative Mercer offered the following amendment to **SB 1659**:

Amend **SB 1659** as follows:

(1) Between SECTIONS 1 and 2 of the bill (House Committee Printing page 1, between lines 22 and 23), insert the following SECTION, appropriately numbered:

SECTION \_\_\_\_\_. Section 11.13, Tax Code, is amended by adding Subsection (s) to read as follows:

(s) A person who receives an exemption authorized by Subsection (c) or (d) for an individual 65 years of age or older for a tax year and who subsequently establishes a different residence homestead during the same tax year may not qualify for an exemption authorized by Subsection (c) or (d) for an individual 65 years of age or older on the subsequent residence homestead before January 1 of the following tax year.

(2) Between SECTIONS 2 and 3 of the bill (House Committee Printing page 2, between lines 7 and 8), insert the following SECTION, appropriately numbered:

SECTION \_\_\_\_\_. Subsection (a), Section 26.112, Tax Code, is amended to read as follows:

(a) If [~~Except as provided by Section 26.10(b), if~~] at any time during a tax year property is owned by an individual who qualifies for an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older, the amount of

the tax due on the property for the tax year is calculated as if the person qualified for the exemption on January 1 and continued to qualify for the exemption for the remainder of the tax year.

(3) Strike SECTION 6 of the bill (House Committee Printing page 3, line 3) and substitute the following SECTIONS, appropriately numbered:

SECTION \_\_\_\_\_. Subsection (b), Section 26.10, Tax Code, is repealed.

SECTION \_\_\_\_\_. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2003.

(b) The amendments to Sections 11.13 and 26.112, Tax Code, made by this Act and the repeal of Subsection (b), Section 26.10, Tax Code, by this Act take effect January 1, 2004, and apply only to ad valorem taxes imposed for a tax year that begins on or after that date.

(4) Renumber the existing SECTIONS of the bill accordingly.

Amendment No. 1 was adopted without objection.

### Amendment No. 2

Representative Mercer offered the following amendment to **SB 1659**:

Amend **SB 1659** by striking SECTION 2 of the bill and replacing it with the following:

SECTION 2. Section 11.431(a), Tax Code, is amended to read as follows:

(a) The chief appraiser shall accept and approve or deny an application for a residence homestead exemption after the deadline for filing it has passed if it is filed not later than one year after the delinquency date for the taxes on the homestead [~~were paid or became delinquent, whichever is earlier~~].

Amendment No. 2 was adopted without objection.

**SB 1665** (J. Moreno - House Sponsor), A bill to be entitled An Act relating to the care of a child taken into possession by a governmental entity without a court order.

**SB 1670** was withdrawn.

**SB 1700** (Swinford - House Sponsor), A bill to be entitled An Act relating to the administration of the weather modification and control grant program.

**CSSB 1705** (Martinez Fischer - House Sponsor), A bill to be entitled An Act relating to the authority of certain taxing entities to repeal the local sales and use tax exemption for telecommunications services.

### Amendment No. 1

Representatives Martinez Fischer and Hill offered the following amendment to **CSSB 1705**:

Amend **CSSB 1705** as follows:

(1) on page 2, line 4, strike "in excess of the amount of revenue generated by the repeal of the application of the exemption"; and

(2) on page 2, line 6, strike subsection (h).

Amendment No. 1 was adopted without objection.

**CSSB 1708** (Baxter - House Sponsor), A bill to be entitled An Act relating to the repurchase of real property acquired by a governmental entity through eminent domain.

**Amendment No. 1**

Representative Baxter offered the following amendment to **CSSB 1708**:

Amend **CSSB 1708** by striking Section 3 of the bill (house committee report, page 3, line 7, through page 4, line 10), and renumbering the subsequent sections accordingly.

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Baxter offered the following amendment to **CSSB 1708**:

Amend **CSSB 1708** in SECTION 2 of the bill, in added Subchapter E, Chapter 21, Property Code, by inserting a new Section 21.104 (House committee report, page 3, between lines 6 and 7) to read as follows:

Sec. 21.104. EFFECT OF GOVERNMENTAL AGENCY'S FAILURE TO COMPLY ON LATER PURCHASER. (a) The failure of a governmental entity to comply with this subchapter or Section 21.023 does not affect the validity of a conveyance of property to a purchaser for value executed after:

(1) the resale of the property under Section 21.103; or

(2) the expiration of the person's right to repurchase under Section 21.101 or 21.103.

(b) This subchapter does not entitle a person to repurchase property under this subchapter from a purchaser for value described under Subsection (a).

Amendment No. 2 was adopted without objection.

**SB 1725** (Hamric - House Sponsor), A bill to be entitled An Act relating to the North Harris County Regional Water Authority.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Puente, Representative Hamric offered the following committee amendment to **SB 1725**:

Amend **SB 1725** by adding the appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS appropriately:

SECTION \_\_\_\_\_. Section 1.03(d), Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

~~(d) On a municipality's annexation of any of the authority's territory, the annexed territory is excluded from the authority's territory. The authority shall continue to provide services to the annexed territory in accordance with contracts in effect at the time of the annexation unless a written agreement between the board and the governing body of the municipality provides otherwise~~ Except to the extent the authority agrees in writing, a municipality's annexation of territory within the authority has no effect on the authority's ability to assess and collect inside the territory annexed by the municipality the types of fees, rates, charges, or special assessments that the authority was assessing and collecting at the time

the municipality initiated the annexation; provided, however, that the authority's ability to assess and collect such fees, rates, charges, or special assessments shall terminate on the later to occur of (i) the date of final payment or defeasance of any bonds or other indebtedness (including any refunding bonds) that are secured by such fees, rates, charges, or special assessments or (ii) the date the authority no longer provides services inside the annexed territory. The authority shall continue to provide services to the annexed territory in accordance with contracts in effect at the time of the annexation unless a written agreement between the board and the governing body of the municipality provides otherwise.

Amendment No. 1 was adopted without objection.

**Amendment No. 2 (Committee Amendment No. 2)**

On behalf of Representative Puente, Representative Hamric offered the following committee amendment to **SB 1725**:

Amend **SB 1725** by striking SECTION 1 of the bill (Senate engrossed version, page 1, lines 4-20) and substituting the following:

SECTION 1. Section 2.02(c), Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(c) In the manner described by Section 49.103(d), Water Code, the board shall redraw the single-member voting districts as required by law as soon as practicable after:

(1) each federal decennial census; and

(2) any change in the boundaries of the authority[-] which increases the total area of the authority by more than 20 percent.

Amendment No. 2 was adopted without objection.

Representative Van Arsdale moved to lay **SB 1729** on the table subject to call.

The motion prevailed without objection.

**SB 1748** (Oliveira - House Sponsor), A bill to be entitled An Act relating to the continuation of the law authorizing the issuance of oversize or overweight vehicle permits by certain port authorities.

**CSSB 1765** (Phillips - House Sponsor), A bill to be entitled An Act relating to the zoning authority of a county in areas surrounding Lake Ralph Hall.

**SB 1782** (Hamric - House Sponsor), A bill to be entitled An Act relating to the precedence of highway access rules and ordinances of certain counties and municipalities over highway access management orders of the Texas Transportation Commission.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Krusee, Representative Hamric offered the following committee amendment to **SB 1782**:

Amend **SB 1782** Senate Engrossment as follows:

On line page 2, lines 14 through 20, delete the current subsection (d) and substitute the following new subsection (d) to read as follows:

(d) Subsection (b) does not apply when:

- (1) the department owns the access rights under Section 203.034; or
- (2) the adjacent property owner does not own the abutter's rights of access.

Amendment No. 1 was adopted without objection.

**CSSB 1784** (Goolsby - House Sponsor), A bill to be entitled An Act relating to the imposition and allocation of municipal hotel occupancy taxes in certain general-law coastal municipalities.

**SB 1794** (Stick - House Sponsor), A bill to be entitled An Act relating to the criminal law magistrates in Travis County.

**CSSB 1803** (Tritt and Capelo - House Sponsors), A bill to be entitled An Act relating to certain licensing requirements and violations under the Texas Food, Drug, and Cosmetic Act; providing penalties.

**CSSB 1804** (Zedler - House Sponsor), A bill to be entitled An Act relating to certain health care treatment plans and pharmaceutical services.

#### **Amendment No. 1**

Representative Zedler offered the following amendment to **CSSB 1804**:

Amend **SB 1804**, by adding a new Section 2 to the bill and renumbering the subsequent subsection accordingly:

SECTION 2. Section 413.031, Labor Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) In performing a review of medical necessity under Subsection (d) or (e), the independent review organization shall consider the commission's health care reimbursement policies and guidelines adopted under Section 413.011 if those policies and guidelines are raised by one of the parties to the dispute. If the independent review organization's decision is contrary to the commission's policies or guidelines adopted under Section 413.011, the independent review organization must indicate in the decision the specific basis for its divergence in the review of medical necessity. This subsection does not prohibit an independent review organization from considering the payment policies adopted under Section 413.011 in any dispute, regardless of whether those policies are raised by a party to the dispute.

Amendment No. 1 was adopted without objection.

**SB 1805** (Dutton - House Sponsor), A bill to be entitled An Act relating to the enforcement of child support obligations, including interstate enforcement.

(Coleman now present)

**SB 1807** (Dutton - House Sponsor), A bill to be entitled An Act relating to the establishment and adjudication of certain parent-child relationships.

**SB 1811** (W. Smith - House Sponsor), A bill to be entitled An Act relating to service of process and to the ability to sue and be sued of a sports and community venue district.

**SB 1820** (Grusendorf and Madden - House Sponsors), A bill to be entitled An Act relating to criteria for rating the performance of school districts.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Grusendorf offered the following committee amendment to **SB 1820**:

Amend **SB 1820** as follows:

(1) Strike lines 5 and 6 on page 1 and substitute the following:

SECTION 1. Subsections (b) and (c), Section 39.072, Education Code, are amended to read as follows:

(2) Add the following between lines 1 and 2 on page 2:

(c) The agency shall evaluate against state standards and shall report the performance of each campus in a district and each open-enrollment charter school on the basis of the campus's performance on the indicators adopted under Sections 39.051(b)(1) through (7). Consideration of the effectiveness of district programs under subsections (b)(2) or (3) must be based on data collected through the Public Education Information Management System for purposes of accountability under this chapter and include the results of assessments required under Section 39.023.

Amendment No. 1 was adopted without objection.

**SB 1826** (Reyna, Capelo, Naishtat, and Truitt - House Sponsors), A bill to be entitled An Act relating to certain violations under the Texas Food, Drug, and Cosmetic Act; providing penalties.

**SB 1876** (Coleman - House Sponsor), A bill to be entitled An Act relating to the conditional grant program administered by the Texas Department of Transportation.

**SB 1885** (Howard - House Sponsor), A bill to be entitled An Act relating to the creation of the Sienna Plantation Management District; providing authority to impose taxes and issue bonds.

**CSSB 1888** (Christian - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Southeast Texas Groundwater Conservation District.

**SB 1897** (Thompson - House Sponsor), A bill to be entitled An Act relating to the creation of the Fall Creek Management District; providing authority to impose taxes and issue bonds.

Representative Thompson moved to postpone consideration of **SB 1897** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 1899** (Christian - House Sponsor), A bill to be entitled An Act relating to permit requirements for groundwater transfers out of Pineywoods Groundwater Conservation District.

**CSSB 1902** (Flores and Wise - House Sponsors), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Rio Grande Regional Water Authority and to the powers and duties of the Rio Grande watermaster and the delivery of water down the banks and bed of the Rio Grande; authorizing the issuance of bonds.

Representative Flores moved to postpone consideration of **CSSB 1902** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 1903** (Hill - House Sponsor), A bill to be entitled An Act relating to the creation and authority of municipal development districts.

Representative Hill moved to postpone consideration of **SB 1903** until the end of the local and consent calendar.

The motion prevailed without objection.

**CSSB 1904** (Keel - House Sponsor), A bill to be entitled An Act relating to driver's licenses, the operation of certain motor vehicles, including commercial motor vehicles, in this state, and to the disposition of certain Class C misdemeanors.

**CSSB 1912** (Eiland - House Sponsor), A bill to be entitled An Act relating to the creation of the Harborside Management District; providing authority to impose taxes and issue bonds.

**SB 1915** (Hegar - House Sponsor), A bill to be entitled An Act relating to the terms of court of the 9th Judicial District.

**SB 1923** (McReynolds - House Sponsor), A bill to be entitled An Act relating to the application of the professional prosecutors law to the district attorney for the 258th Judicial District.

#### **Amendment No. 1**

Representative McReynolds offered the following amendment to **SB 1923**:

Amend **SB 1923** as follows:

(1) On page 1, line 12, insert "42nd," between "38th," and "43rd".

Amendment No. 1 was adopted without objection.

**SB 1925** (Hardcastle - House Sponsor), A bill to be entitled An Act relating to the powers, financing, and fees of office for the Rolling Plains Groundwater Conservation District.

**SB 1928** (B. Brown - House Sponsor), A bill to be entitled An Act relating to the boundaries of the Athens Municipal Water Authority.

**SB 1930** (Hope and Ellis - House Sponsors), A bill to be entitled An Act relating to the board of directors and the powers of the Lone Star Groundwater Conservation District; validating certain actions and proceedings of the district.

**SB 1932** (McReynolds - House Sponsor), A bill to be entitled An Act relating to the performance of the duties of a district attorney by the prison prosecution unit in Trinity County.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Telford, Representative McReynolds offered the following committee amendment to **SB 1932**:

Amend **SB 1932**, in SECTION 1 of the bill, in proposed Section 43.171(c), Government Code (page 1, line 14), before "This subsection expires February 1, 2005." by inserting "The duties under this subsection are in addition to the duties of the prison prosecution unit and the attorney employed by the prison prosecution unit. The person prosecution unit and the attorney employed by the prison prosecution unit are not entitled to additional compensation or reimbursement."

Amendment No. 1 was adopted without objection.

**SB 1933** (McReynolds - House Sponsor), A bill to be entitled An Act relating to the exclusion of property from Waterwood Municipal Utility District No. 1.

**SB 1935** (R. Cook - House Sponsor), A bill to be entitled An Act relating to the law governing the Brazos River Authority and the law governing the Lower Colorado River Authority.

Representative R. Cook moved to postpone consideration of **SB 1935** until the end of the local and consent calendar.

The motion prevailed without objection.

**CSSB 1936** (Coleman - House Sponsor), A bill to be entitled An Act relating to the creation of the Buffalo Bayou Management District; providing the authority to impose taxes and issue bonds.

**SB 1940** (Seaman - House Sponsor), A bill to be entitled An Act relating to the County Court at Law of Aransas County.

**SB 1941** (D. Jones - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Lake Alan Henry Water District; granting the power of eminent domain; authorizing the issuance of bonds and the imposition of taxes.

**SB 1944** (Delisi - House Sponsor), A bill to be entitled An Act relating to the creation of the Temple Health and Bioscience Economic Development District; providing authority to impose a tax and issue bonds.

Representative Delisi moved to postpone consideration of **SB 1944** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 1948** (Keel, Denny, Ellis, Hodge, Talton, et al. - House Sponsors), A bill to be entitled An Act relating to the release on bond of certain applicants for a writ of habeas corpus.

**SB 1955** (Telford - House Sponsor), A bill to be entitled An Act relating to the Red River Redevelopment Authority; providing the power of eminent domain and the power to issue bonds.

**SCR 20** (Chavez - House Sponsor), Memorializing Congress to fund one-stop border vehicle inspection facilities.

**SCR 49** (Capelo - House Sponsor), Requesting the lieutenant governor and the speaker to create a joint interim committee to study issues related to nutrition among Texas public school children.

**SCR 51** (Hilderbran and Escobar - House Sponsors), Commemorating the 150th anniversary of the King Ranch.

**SB 6** (Flores - House Sponsor), A bill to be entitled An Act relating to clarifying the time to claim a lottery prize and extending the time for certain military personnel.

**CSSB 392** (Gattis - House Sponsor), A bill to be entitled An Act relating to a repeal of exemptions from certain truth-in-taxation provisions for certain conservation and reclamation districts.

**Amendment No. 1**

Representative Gattis offered the following amendment to **CSSB 392**:

Amend **CSSB 392** (House Committee Printing) by striking all below the enacting clause and substituting the following:

SECTION 6. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.236 to read as follows:

Sec. 49.236. NOTICE OF TAX HEARING. (a) Before the board adopts an ad valorem tax rate for the district for debt service, operation and maintenance purposes, or contract purposes, the board shall give notice of each meeting of the board at which the adoption of a tax rate will be considered. The notice must:

(1) contain a statement in substantially the following form:

"NOTICE OF PUBLIC HEARING ON TAX RATE

"The (name of the district) will hold a public hearing on a proposed tax rate for the tax year (year of tax levy) on (date and time) at (meeting place). Your individual taxes may increase or decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

"(Names of all board members and, if a vote was taken, an indication of how each voted on the proposed tax rate and an indication of any absences.)";

(2) contain the following information:

(A) the district's total adopted tax rate for the preceding year and the proposed tax rate, expressed as an amount per \$100;

(B) the difference, expressed as an amount per \$100 and as a percent increase or decrease, as applicable, in the proposed tax rate compared to the adopted tax rate for the preceding year;

(C) the average appraised value of a residence homestead in the district in the preceding year and in the current year; the district's total homestead exemption, other than an exemption available only to disabled persons or persons 65 years of age or older, applicable to that appraised value in each of those years; and the average taxable value of a residence homestead in the district in each of those years, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older;

(D) the amount of tax that would have been imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older;

(E) the amount of tax that would be imposed by the district in the current year on a residence homestead appraised at the average appraised value of a residence homestead in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older, if the proposed tax rate is adopted; and

(F) the difference between the amounts of tax calculated under Paragraphs (D) and (E), expressed in dollars and cents and described as the annual percentage increase or decrease, as applicable, in the tax to be imposed by the district on the average residence homestead in the district in the current year if the proposed tax rate is adopted; and

(3) contain a statement in substantially the following form:

"NOTICE OF TAXPAYERS' RIGHT TO ROLLBACK ELECTION

"If taxes on the average residence homestead increase by more than eight percent, the qualified voters of the district by petition may require that an election be held to determine whether to reduce the operation and maintenance tax rate to the rollback tax rate under Section 49.236(d), Water Code."

(b) Notice of the hearing shall be:

(1) published at least once in a newspaper having general circulation in the district at least seven days before the date of the hearing; or

(2) mailed to each owner of taxable property in the district, at the address for notice shown on the most recently certified tax roll of the district, at least 10 days before the date of the hearing.

(c) The notice provided under this section may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper of general circulation, and the headline on the notice must be in 18-point or larger type.

(d) If the governing body of a district adopts a combined debt service, operation and maintenance, and contract tax rate that would impose more than 1.08 times the amount of tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older, the qualified voters of the district by petition may require that an election be held to determine whether or not to reduce the tax rate adopted for the current year to the rollback tax rate in accordance with the procedures provided by Sections 26.07(b)

through (g) and 26.081, Tax Code. For purposes of Sections 26.07(b) through (g) and this subsection, the rollback tax rate is the current year's debt service and contract tax rates plus the operation and maintenance tax rate that would impose 1.08 times the amount of the operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older.

SECTION 7. (a) This Act takes effect September 1, 2003.

(b) For the 2003 tax year, the change in law made by this Act applies only to a conservation and reclamation district created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, and governed by Chapter 49, Water Code, that adopts its tax rate on or after the effective date of this Act. For the 2003 tax year, a district that adopts its tax rate before the effective date of this Act is governed by the law as it existed when the tax rate was adopted, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted without objection.

**CSSB 921** (Haggerty and Allen - House Sponsors), A bill to be entitled An Act relating to the operation of community supervision and corrections departments and to the early release of a defendant from community supervision.

Representative Haggerty moved to postpone consideration of **CSSB 921** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 1281** (B. Keffer - House Sponsor), A bill to be entitled An Act relating to the rulemaking authority of the commissioner of insurance.

Representative B. Keffer moved to postpone consideration of **SB 1281** until the end of the local and consent calendar.

The motion prevailed without objection.

**SB 1897** (Thompson - House Sponsor), A bill to be entitled An Act relating to the creation of the Fall Creek Management District; providing authority to impose taxes and issue bonds.

Representative Thompson moved to postpone consideration of **SB 1897** until the end of the local and consent calendar.

The motion prevailed without objection.

**CSSB 1902** (Flores and Wise - House Sponsors), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Rio Grande Regional Water Authority and to the powers and duties of the Rio Grande watermaster and the delivery of water down the banks and bed of the Rio Grande; authorizing the issuance of bonds.

#### **Amendment No. 1**

On behalf of Representative Puentes, Representative Flores offered the following amendment to **CSSB 1902**:

Amend **CSSB 1902** in SECTION 2.01 by deleting subsection (b)(2) on page 3, lines 7-9 and inserting the following:

"(2) one director who represents the public;"

Amendment No. 1 was adopted without objection.

**SB 1903** was withdrawn.

**SB 1935** (R. Cook - House Sponsor), A bill to be entitled An Act relating to the law governing the Brazos River Authority and the law governing the Lower Colorado River Authority.

**SB 1944** was withdrawn.

**SB 921** was withdrawn.

**SB 1897** (Thompson - House Sponsor), A bill to be entitled An Act relating to the creation of the Fall Creek Management District; providing authority to impose taxes and issue bonds.

**SB 1281** was withdrawn.

### ADJOURNMENT

Representative Edwards moved that the house adjourn until 2:20 p.m.

The motion prevailed without objection.

The house accordingly, at 2:15 p.m., adjourned until 2:20 p.m.

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### ADDENDUM

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### SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### House List No. 49

**HB 28, HB 148, HB 164, HB 174, HB 195, HB 219, HB 264, HB 554, HB 558, HB 562, HB 622, HB 686, HB 724, HB 728, HB 778, HB 823, HB 898, HB 912, HB 913, HB 919, HB 928, HB 1056, HB 1088, HB 1113, HB 1125, HB 1171, HB 1189, HB 1207, HB 1251, HB 1309, HB 1338, HB 1339, HB 1387, HB 1391, HB 1398, HB 1476, HB 1481, HB 1496, HB 1499, HB 1526, HB 1529, HB 1653, HB 1729, HB 1776, HB 1813, HB 1815, HB 1952, HB 1984, HB 2038, HB 2061, HB 2076, HB 2089, HB 2094, HB 2131, HB 2172, HB 2200, HB 2227, HB 2300, HB 2328, HB 2341, HB 2518, HB 2554, HB 2558, HB 2561, HB 2654, HB 2786, HB 2887, HB 2930, HB 2975, HB 3075, HB 3128, HB 3139, HB 3208, HB 3213, HB 3214, HB 3221, HB 3235, HB 3517, HB 3556, HB 3561, HB 3569, HB 3595, HB 3605, HB 3607, HCR 15, HCR 34, HCR 73, HCR 89, HCR 251, HCR 261**